Historic Resources Commission Meeting Minutes of October 8, 2014

Members Present: Brendan Ross, Jo Stephenson, David Carpenter, William Eakins,

Woodard Farmer, Richard Fast, Bryan Moffitt, Tracey Rizzo,

Amanda Warren

Members Absent: Nan Chase, J. Ray Elingburg, David Nutter

Staff: Stacy Merten, Peggy Gardner, Jannice Ashley

Public: Will Hornaday, Amy Hornaday, Tom Jones, Alex Kirby, Barbara

Kruszewski, Sally Rhoades, Kevin Williams, Robert Sauer,

Scott Riviere

Call to Order: Chair Ross calls the meeting to order at 4:00 pm with a quorum

present.

Adoption of Minutes: Chair Ross asks for a correction on page 6, and an additional

sentence on page 11. Commissioner Eakins moves to adopt the

September 10, 2014 minutes with these changes.

Second by: Commissioner Carpenter

Vote for: ALL

Consent Agenda:

1. Owner/Applicant: Carl Geisenschlag
Subject Property: 40 Cumberland Circle

Hearing Date: October 8, 2014 **Historic District:** Montford

PIN: 9649.04-7601

Zoning District: RM-8

MOTION TO ADOPT FINDINGS OF FACT

Madam Chair, based upon the evidence presented to this Commission, including Exhibit A – project description; Exhibit B – site drawing; Exhibit C – four photos showing existing structure; Exhibit D – window specifications; Exhibit E – photo of proposed window; Exhibit F – preliminary construction drawings; (Exhibits G – K submitted 9/18/14): Exhibit G – revised project description; Exhibit H – revised site drawing; Exhibit I – photo of existing west elevation; Exhibit J – floor plan; Exhibit K – revised drawings of original and proposed elevations; and the Commission's actual inspection and review of subject property by all members;

I move that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 27th day of August, 2014 and the 24th day of September, 2014, and that each owner of real property situated within two hundred feet of the subject property was notified of this hearing in the mail on the 27th day of August, 2014 as indicated by Exhibits L and M.

- 2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.
- 3. That the application is to rehabilitate accessory building for new accessory apartment. Work to include the following: 1) East side install salvaged window from west elevation on 1st level. 2) West side remove decks added in 1979 and build new 8' x 11' porch with hip roof, and low wall finished with German siding. Add stair and landing. Add new entry door in place of existing window on upper level and relocate door from south side to lower level in place of window opening. 3) North side remove non-original glass panes and fill in opening with German siding. Salvage window from upper level on south side to replace non-original window. 4) South side remove non-original door (relocated to lower west elevation). Install (2) 73 ½" x 55" salvaged windows in south facing wall to create sunroom. Remove non-original double casement window on upper level and fill in opening with German siding. Remove narrow entry door to upper level and fill in with German siding. All permits, variances, or approvals as required by law must be obtained before work may commence.
- 4. That the guidelines for Carriage Houses, Garages and Accessory Structures found on pages 34-35 in the Design Review Guidelines for the Montford Historic District adopted on April 14, 2010 and amended August 2013 were used to evaluate this request.
- 5. This application **does** meet the design guidelines for the following reasons:
 - a. The structure will be preserved and adapted for a new use in its original location.
 - b. All character defining features and elements of the structure are retained.
- 6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are** compatible with the historic aspects and character of the Montford Historic District.

Motion by: Commissioner Stephenson Second by: Commissioner Moffitt

Vote for: ALL

Based upon the foregoing FINDINGS OF FACT and for the reasons set forth therein, I move that a Certificate of Appropriateness be **issued.**

Motion by: Commissioner Stephenson Second by: Commissioner Moffitt

Vote for: ALL

2. Owner/Applicant: Sandra Simpson/Ron PellSubject Property: 105 Orchard Place/Crow's Nest

Hearing Date: October 8, 2014 Historic District: Albemarle Park PIN: 9649.64-6774

Zoning District: RM-8

MOTION TO ADOPT FINDINGS OF FACT

Madam Chair, based upon the evidence presented to this Commission, including Exhibit A – historic photo of Crow's Nest Cottage; Exhibit B – photo showing existing railing; and the Commission's actual inspection and review of subject property by all members;

I move that this Commission adopt the following FINDINGS OF FACT:

- 1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 24th day of September, 2014, and that each owner of real property situated within two hundred feet of the subject property was notified of this hearing in the mail on the 24th day of September, 2014 as indicated by Exhibits C and D.
- 2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.
- 3. That the application is to remove non-original mid century attached storage room and restore original cross style railing. Install lattice to match existing in front of the structure and leave stone on site.

 All permits, variances, or approvals as required by law must be obtained before work may commence.
- 4. That the guidelines for Repair and Remodeling work found on page 23 of the Architectural Design Guidelines for Albemarle Park were used to evaluate this request.
- 5. This application **does** meet the design guidelines for the following reasons:
 - a. A non-contributing addition will be removed and the original railing style restored which will serve to recapture the original design style of the structure.
- 6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are** compatible with the historic aspects and character of the Albemarle Park Historic District.

Motion by: Commissioner Stephenson Second by: Commissioner Moffitt

Vote for: ALL

Based upon the foregoing FINDINGS OF FACT and for the reasons set forth therein, I move that a Certificate of Appropriateness be **issued.**

Motion by: Commissioner Stephenson Second by: Commissioner Moffitt

Vote for: ALL

Public Hearings:

Agenda Item

Owner/Applicant: Deb and Alex Kirby
Subject Property: 26 Bearden Ave.
Hearing Date: October 8, 2014

Historic District: Montford **PIN:** 9649.12-7115

Zoning District: RM-8

Staff Comments

Ms. Merten displays a rendering showing 6/1 windows previously installed and explains these changes were not done according to a previously issued CA for this property. She explains that she met with the applicant's contact following the submittal of the application and discussed changes currently reflected in the following staff report, but has just been informed the applicant has not agreed to these changes. She invites the applicant to share the revised drawings he has brought to the meeing to explain his current proposal to the Commission.

Property Description: Late 19th - early 20th century vernacular Queen Anne style dwelling. Imbricated shingles over weatherboards with intervening strip of panel with vertical tongue and groove. Bracketed cornice. Before 1907 (S)

Certificate of Appropriateness Request: Adjust the header heights of two pairs of windows on the eastern side of the rear addition to the structure to match the header heights on existing windows and install two new pairs of wood, double hung, SDL, two over two windows to match the historic windows on the house in place of the existing windows in this location. Reuse the smaller pair of existing windows to be replaced on the rear elevation, where a 6 over one window was installed in violation of a previously issued CA. Reuse the larger pair of windows to be replaced on the rear elevation to replace a 6 over 1 window which was installed in violation of a previously issued CA, which will restore these openings as they were originally according to plans submitted to the HRC in June 2006. Replace front porch windows on east elevation with new wood, double-hung, SDL, two over two windows to match historic windows on the house. All permits, variances, or approvals as required by law must be obtained before work may commence.

Staff Concerns per the Applicable Guidelines & Submittal Requirements:

None

The guidelines for Windows and Doors found on pages 84-85 in the Design

	Review Guidelines for the Montford Historic District adopted on April 14, 2010 and amended August 2013 were used to evaluate this request. Staff Recommendation: Staff recommends approval of the request for the following reasons: 1. The rear addition where the windows are proposed to be changed are on a non-character defining façade of the structure with limited visibility. 2. The existing windows will be reused.
Applicant(s)	Alex Kirby, property owner, describes the window configuration and additions that were made seven years ago. He says he thought the contractors at the time were complying with historic guidelines. He says his primary concern is for energy efficiency, and says the current windows are not operable because he caulked them shut to prevent drafts. He says he is willing to change out the 6/1 windows and make the header heights match. He shows a rendering of the proposed changes.
	Kevin Williams, who is working with Mr. Kirby on the project, offers to show interior photographs to explain what they wish to accomplish with the window changes. Chair Ross explains the Commisssion does not consider the interior configuration in their decision process. Mr. Williams explains changes that have been made to the windows over fifty years, and says it would be quite costly to restore them to the original configuration.

Public Comment

Speaker Name	Issue(s)
None	

Commission Comments/Discussion

Commissioner Moffitt says he is concerned with how one of the proposed windows on the east elevation straddles the existing house and an addition. Commissioner Carpenter notes the addition, which was added around 50 years ago, is differentiated from the main structure and that is preferable. He says an attempt to unify the two is problematic, according to Secretary of the Interior guidelines. Commissioner Moffitt agrees, and says the proposal also distracts by eliminating the way the gable end has a been a discrete piece.

Commissioner Farmer notes the header heights align on some of the windows, and describes ways the others could fit into this pattern. Commissioner Stephenson suggests centering the one on the left and removing the one proposed in the middle. Commissioner Moffitt says they could be ganged together if more light is the objective. Ms. Merten says the original windows and openings should be reused if possible on the east elevation, and notes this is not as much of a concern on the rear elevation. Mr. Kirby says he wants new windows that are operable and energy efficient.

Discussion follows about possible solutions. Commissioner Carpenter suggests matching the three header heights on the addition, and notes this height doesn't have to match those on the original structure. Ms. Merten agrees, and says this way the original openings could be kept in place. Mr. Kirby says he does not want to reuse the old windows. Ms. Merten says this might be okay in the rear, but not on the side elevation since the guidelines say to retain and preserve them. Mr. Kirby says he can feel the draft from them. Commissioner Farmer suggests he consider

interior storm windows.

Mr. Williams proposes they leave the original windows in place and make the three headers on the addition align and space them equidistant from the sides, using 2/2 double hung windows. Commissioner Fast asks for clarification on which windows remain, and which are to be replaced. Ms. Merten says there will be five total new windows, two on the porch, one on the rear left and one on the rear right, and one new on the side. Commissioner Stephenson says this is a good solution, given that the addition is not visible from the street and is not character defining.

Commission Action

MOTION TO ADOPT FINDINGS OF FACT

Madam Chair, based upon the evidence presented to this Commission, including Exhibit A – project description; Exhibit B – seven photographs of existing structure and proposed window; Exhibit C – drawing of existing window layout and revised existing window drawing dated 10/7/14; Exhibit D – drawing of proposed window layout; Exhibit E – 2006 floor plan and approved drawings of exterior elevations; Exhibit F – photos of existing 6/1 windows (*submitted* 10/8/14); Exhibit G – interior floor plan (*submitted* 10/8/14); and the Commission's actual inspection and review of subject property by all members;

I move that this Commission adopt the following FINDINGS OF FACT:

- 1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 24th day of September, 2014, and that each owner of real property situated within two hundred feet of the subject property was notified of this hearing in the mail on the 24th day of September, 2014 as indicated by Exhibits H and I.
- 2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.
- 3. That the application is to adjust the header heights and position of two pairs of windows on the eastern side of the addition using 2/2 double hung wood windows to match style of the original windows. Five windows on the porch, rear and side will be replaced with 2/2 double hung wood windows, per the attached drawings. All permits, variances, or approvals as required by law must be obtained before work may commence.
- 4. That the guidelines for Windows and Doors found on pages 84-85 in the Design Review Guidelines for the Montford Historic District adopted on April 14, 2010 and amended August 2013 were used to evaluate this request.
- 5. This application **does** meet the design guidelines for the following reasons:
 - a. The rear addition, where the windows are proposed to be changed are on a non-character defining façade of the structure with limited visibility from the street.
 - b. The existing windows which are removed will be retained and stored on premises for future use.
- 6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are** compatible with the historic aspects and character of the Montford Historic District.

Motion by: Commissioner Stephenson Second by: Commissioner Moffitt

Vote for: ALL

Based upon the foregoing FINDINGS OF FACT and for the reasons set forth therein, I move that a Certificate of Appropriateness be **issued**,

With the following conditions:

- 1. Five non-original six over one windows be replaced with wood, double hung, SDL, two over two double hung windows.
- 2. Revised drawings for new windows on east elevation be submitted for staff review.
- 3. Existing windows which are removed will be retained and stored on premises for future use.

Motion by: Commissioner Stephenson Second by: Commissioner Moffitt

Vote for: ALL

Agenda Item

Owner/Applicant: Barbara Kruszewski Subject Property: 3 Banbury Cross Hearing Date: October 8, 2014 Historic District: Albemarle Park PIN: 9649.64-8926

Zoning District: RM-8

Staff Comments

Ms. Merten says the proposed fence installation had started, and a stop work order was issued. She says the landscape of Albemarle Park is as significant as the architecture, and reads from the chapter titled 'Residential Parks' in Samuel Parsons Jr.'s 1901 book, *How to Plan the Home Grounds*, which references Albemarle Park. She says the boundary of the original development had wire fencing. She reads from another chapter titled 'Fences, Bridges, and Summer-Houses', which explains Parsons' distaste for fencing.

Ms. Merten says she understands the homeowners' desire to have a visual boundary between their property and pedestrians or traffic, and suggests bollards and wire as a way to do this. She shows an historical photograph that shows these, and illustrates the open landscape concept.

Ms. Merten submits two letters she received from neighbors in opposition to the proposal, one from Robert Sauer and one from Jane Mathews.

Property Description: This is Kalmia Cottage, a Shingle-style cottage built in 1910.

Certificate of Appropriateness Request: Install an iron fence on type 1 façade per attached photographs. **All permits, variances, or approvals as required by**

law must be obtained before work may commence.

Staff Concerns per the Applicable Guidelines & Submittal Requirements:

The guidelines for Landscaping found on page 36, and the General Principles for Historic Rehabilitation found on page 12 with reference to #1 and 2, of the Architectural Design Guidelines for Albemarle Park were used to evaluate this request.

Staff Recommendation: Staff does not recommend approval of the request for the following reasons:

1. Fences were not part of the original landscape plan or vision of Samuel Parsons and installation of a fence would set a dangerous precedent that would severely alter the original character of the site and setting.

Commissioner Moffitt asks when low stone terraced walls were added in the district. Ms. Merten says they were part of the original design, and the retaining wall at the top of Cherokee recently rebuilt by the City was an original feature. They both note low walls maintain the open look Parsons planned. Commissioner Rizzo asks if hedges would work, Ms. Merten says there are hedges now, but this was not part of the original plan. There is discussion about fences and walls in Montford, and Ms. Merten says there is an attempt to consider ways people live and how this changes over time. Commissioner Carpenter notes Albemarle Park is unique, and its landscape is award winning.

Commissioner Rizzo asks if the guidelines have flexibility in regards to hedges and plantings. Ms. Merten says the current guidelines are not specific, and this is something the proposed landscape guidelines address. Commissioner Fast asks if a double wire with bollards would serve the same function, and perhaps contain a dog. Ms. Merten says the purpose was not to retain dogs, and other neighbors use invisible fencing.

Applicant(s)

Barbara Kruszewski, property owner, says she is a lifelong gardener who loves peonies. She says she did not intend for this to be a fence, but to hold vines and support her peonies. She says a hedge would block the sun. She says the metal is antique, the same age as her house, and would eventually be covered by the plants.

Commissioner Carpenter says even if a landscape feature is the same age, if it was not part of the plan they are not appropriate. Commissioner Rizzo asks if the applicant is open to considering using locust bollards and wires. Ms. Kruszewski says she does not want to use locust posts, because the ones used in the district have rotted, there are many termites. She only wants to use metal.

Chair Ross says the concern would be in setting a precedent. Ms. Kruszewski says many inappropriate features have already been installed, and refers to the agregious examples she submitted with her application. Commissioner Carpenter agrees they are horrible and notes they were not approved, or were installed before there were guidelines.

Commissioner Farmer asks about the posts she has installed, whether those are historic. Ms. Kruszewski says no, she couldn't find any that size. She likes that they are slender and do not obstruct the view of her yard. She says she has had plants stolen, and likes that these establish a boundary and support her peonies.

She says this is her backyard and the only place she can grow her garden. She says passers-by slow down to enjoy her garden, and contrasts this with the view of trash cans across the street. Commissioner Fast compliments the beauty of her garden, but says he wishes she was more open to using something appropriate to the neighborhood.

Commissioner Moffitt proposes using a 4" low wooden post with wire. Ms. Kruszewski says these would rot unless they were put into concrete, and she wants something beautiful. Commissioner Warren notes chemicals in concrete will rot the wood. Commissioner Stephenson reminds the applicant she said plantings would grow over and obscure the supports.

Ms. Merten asks if Ms. Kruszewski would like to amend her application. She answers no, she would appeal. Commissioner Carpenter again states the district is unique, and Commissioner Stephenson notes the guidelines were created by the

residents. Ms. Kruszewski says the district was built for tourists and now it has

Public Comment

year-round residents.

Speaker Name	Issue(s)
Sally Rhodes	Ms. Rhodes lives at 52 Terrace Road. She says she understand how the guidelines work, and they are difficult for a homeowner. She says following Parsons' plan presents inconsistencies, for instance the area was open then but now is full of trees. She says the Commission should be flexible in regards to the needs of homeowners, and hopes they will look at this proposal with that in mind.
Scott Riviere	Mr. Riviere lives at 150 Cherokee Road. He compliments Ms. Kruszewski's and Ms. Rhodes' gardens, saying they are the best in the neighborhood. He discusses Parsons' open plan and the challenging nature of the district's topography, describing how properties are not divided from one another, how low stone walls are only used sparingly, and this maintains the sense of openness and the views. He says there is no need for fences or sidewalks. He says Parsons used Albemarle Park as his textbook example and it is so significant that 100 years later the Society of Landscape Architects acknowledged its uniqueness with their award. He says landscape issues cannot be taken lightly. He notes only one fence has been allowed since he has lived in the district, at Rose's Garden Shop. He refers to the recently published book on Albemarle Park, and reads about the sweeping views being character defining features. He notes it is unlike any other neighborhood in Asheville, and shows the original plan. He points out there could be a mishmash of fences if allowed, and this would destroy the neighborhood's flow, shared viewshed and character that has been maintained for such a long time. He thinks very low locust posts with wire would blend in to the hillside and allow the applicant's plants to be supported.
Will Hornaday	Mr. Hornaday lives in Possum Trot. He says they bought their home two years ago, and they noticed the difference of the neighborhood the moment they turned onto Cherokee Road. He notes this atmosphere has been preserved and supported by the City and the neighbors for 115 years, and says it would be good to pass it along as before.

James Kruszewski	James Kruszewski, property owner, says they want the fence because it is low and one can see through it. He does not think his fence blocks the view or he wouldn't have put it in that place. He notes Mr. Riviere's property is secluded and obscured by plantings, and says an unobstructed view could be addressed by changing those.
Robert Sauer	Mr. Sauer says he would like his letter to be entered into the record.

Commission Comments/Discussion

Commissioner Carpenter says he thinks the Commission needs to maintain the integrity of this special neighborhood and not allow a precedent. He comments on the winding roads and how there is not a front street/alley structure. Ms. Merten adds this is why the guidelines have the façade map. Commissioner Stephenson says the landscape component is as important as the architectural one in this neighborhood and thinks post and wire would suffice. Chair Ross compliments the applicants' gardens and suggests the neighbors could get together to address some of the trash cans and other blights. Commissioner Farmer says he is a peony lover, but thinks this fence is not appropriate. Commissioner Rizzo says if the neighbors think the guidelines are out of date they should organize to change them. Commissioner Warren notes the guidelines are clear about the significance of the landscape, and agrees the fencing as proposed is not appropriate. She reads sections of the guidelines that relate to the landscape. Ms. Merten asks for these to be entered into the record.

Commission Action

MOTION TO ADOPT FINDINGS OF FACT

Madam Chair, based upon the evidence presented to this Commission, including Exhibit A – three older photos of property; Exhibit B – site map showing location of cottage garden; Exhibit C – project description; Exhibit D – three photos of property showing vine holders and fence; Exhibit E – twelve photos of other Albemarle Park fences and landscape features; (*Exhibits F through H submitted 10/8/14*): Exhibit E – historic photo showing open landscapes of Albemarle Park; Exhibit E – two letters from Robert Sauer and Jane Mathews; Exhibit E – Samuel Parsons' book on fences; and the Commission's actual inspection and review of subject property by all members;

I move that this Commission adopt the following FINDINGS OF FACT:

- 1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 24th day of September, 2014, and that each owner of real property situated within two hundred feet of the subject property was notified of this hearing in the mail on the 24th day of September, 2014 as indicated by Exhibits I and J.
- 2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.
- 3. That the application is to install an iron fence on type 1 façade per attached photographs. All permits, variances, or approvals as required by law must be obtained before work may commence.
- 4. That the guidelines for Landscaping found on page 36, the General Principles for Historic Rehabilitation found on page 12 with reference to #1 and 2, goal #6 on page 7, and design similarity

#13 on page 18 of the Architectural Design Guidelines for Albemarle Park were used to evaluate this request.

- 5. This application does not meet the design guidelines for the following reasons:
 - a. Fences were not part of the original landscape plan or vision of Samuel Parsons and installation of a fence would set a dangerous precedent that would severely alter the original character of the site and setting.
 - b. Landscape design in Albemarle Park is as significant as architectural design.
 - c. Fence design as proposed is not compatible with the open, rolling landscape as planned by Parsons.
- 6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness are not compatible with the historic aspects and character of the Albemarle Park Historic District.

Motion by: Commissioner Farmer Second by: Commissioner Moffitt

Vote against: ALL

Based upon the foregoing FINDINGS OF FACT and for the reasons set forth therein, I move that a Certificate of Appropriateness be denied.

Motion by: Commissioner Farmer Second by: Commissioner Stephenson

Vote against: ALL

Preliminary Review:

None

Other Business:

Committee Reports. Ms. Merten says there are no committee reports, but she encourages the Commissioners who are on the Education committee to come to the Preservation Plan meeting scheduled for Tuesday, October 21 from 4:00 to 5:30. She hopes to bring the plan to the Commission for adoption in November, then to other committees in December and hopefully be adopted by the City Council in January.

Commissioner Farmer asks if there has been progress protecting the Thomas Wolfe Cabin. Ms. Merten repies the protective tarp installation has begun. She says demolition plans have been scaled back, and they are waiting on asbestos reports.

Ms. Merten reports the Roundhouse in the River district is scheduled for demolition early in November, and parts have begun to be dismantled. She says permits are not required since the structure belongs to Norfolk-Sourthern Railroad, and is considered a public utility. She says Planning staff had been working with Norfolk-Southern as part of the riverfront planning process, but she thinks they were surprised to learn of the demolition plans. Commissioner Warren says she has heard the Roundhouse is collapsing and posing a danger to the tracks. Ms. Merten says that may explain it, but it would have been preferable if the railroad had taken precautionary

measures to preserve the structure. She says it is unfortunate because the River Arts District Transportation Project is beginning, and the Roundhouse area has historical importance.

Commissioner Farmer moves to adjourn the meeting.

Second by: Commissioner Moffitt

Vote for: ALL

The meeting is adjourned at 5:41 pm.